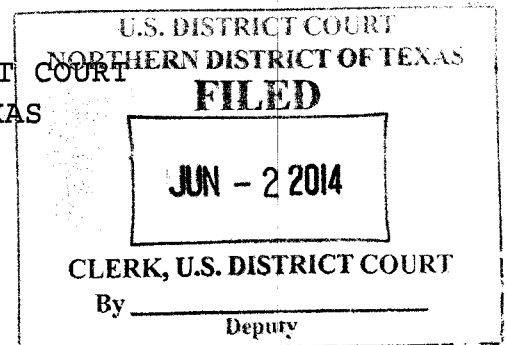


IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION



JIMMY EWING,

Plaintiff,

VS.

CAROLYN W. COLVIN, ACTING
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

§
§
§
§
§
§
§
§
§

NO. 4:13-CV-085-A

ORDER

Came on for consideration the above-captioned action wherein Jimmy Ewing is plaintiff and Carolyn W. Colvin, Acting Commissioner of Social Security, ("Commissioner") is defendant. This is an action for judicial review of a final decision of the Commissioner denying plaintiff's claim for disability and disability insurance benefits and supplemental security income benefits under the Social Security Act. On April 29, 2014, the United States Magistrate Judge issued his proposed findings and conclusions and his recommendation ("FC & R"), and granted the parties until May 13, 2014, in which to file and serve any written objections thereto. Plaintiff filed his objections, to which Commissioner filed a response. After a thorough study of the record, the magistrate judge's proposed findings and conclusions, and applicable legal authorities, the court has

concluded that plaintiff's objections lack merit and that the recommendation of the magistrate judge should be accepted.

Therefore,

The court accepts the recommendation of the magistrate judge and ORDERS that the decision of the Commissioner that, based on the application for a period of disability and disability insurance benefits protectively filed on May 19, 2011, plaintiff, Jimmy Ewing, is not disabled under sections 216(i) and 223(d) of the Social Security Act, and, based on the application for supplemental security income protectively filed on May 19, 2011, plaintiff is not disabled under section 1614(a)(3)(A) of the Social Security Act, be, and is hereby, affirmed.

SIGNED June 2, 2014.



JOHN MCBRYDE
United States District Judge